IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO. 2420 OF 2005

Ghisalal C. Shah ....Plaintiffs.

vs.

K. Shashi Manmohan Shetty

and anr. .....Defendants

Mr. Hrishikesh Nikumb, advocate

for the plaintiffs.

None for the defendants.

CORAM: SMT. NISHITA MHATRE, J.

DATE : 27TH MARCH, 2006.

P.C. :

1. This suit has been filed on the basis of two Bills of Exchange dated 29.10.2001. Each of the bills of Exchange are for an amount of

Rs.50,000/-. The bills of Exchange have been executed by the defendant no.1 and defendant no.2 has accepted the same. On 29.11.2001, however, both the Bills of Exchange when presented to defendant no.2 were dishonoured. The plaintiff then demanded an amount of Rs.1,00,000/- from defendant no.1. The amount has remained unpaid till today except for a part payment of Rs.20,000/-. This amount of Rs.20,000/- has been appropriated towards the principal amount of Rs.1,00,000/-. The plaintiff by his advocate notice dated 14.6.2005 called upon the defendants to repay the balance amount of Rs.80,000/- together with accrued interest. This amount has remained unpaid.

2. The demand made by the plaintiff through his advcoate has remained unanswered. The defendants have not filed their appearance in the present suit. There is therefore no defence to the claim of the plaintiff.

3. The documents filed in support of the

pleadings proves the case of the plaintiff.

4. Decree as prayed. Refund of court fees as per rules.

sd/-

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